# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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IN THE MATTER OF THE LICENSE OF : FINAL DECISION & ORDER

FOR REMEDIAL EDUCATION

GORDON J. GRIESHABER, M.D.,

Case #LS0604193MED

#### **Division of Enforcement Case # 03 MED 567**

The parties to this proceeding for purposes of Wis. Stat. § 227.53 are:

Gordon J. Grieshaber, M.D. Mineral Point Medical Center 104 High Street Mineral Point, WI 53565

Wisconsin Medical Examining Board 1400 East Washington Ave. P.O. Box 8935 Madison, WI 53708-8935

Department of Regulation and Licensing Division of Enforcement 1400 East Washington Ave. P.O. Box 8935 Madison, WI 53708-8935

### PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Medical Examining Board ("Board"). The Board has reviewed the attached Stipulation and considers it acceptable.

Accordingly, the Board in this mater adopts the attached Stipulation and makes the following:

#### **FINDINGS OF FACT**

- 1. Gordon J. Grieshaber, M.D., (DOB 12/30/1954) is duly licensed as physician in the state of Wisconsin (license #20-34127). This license was first granted on March 25, 1993.
- 2. Dr. Grieshaber's most recent address on file with the Wisconsin Medical Examining Board is Mineral Point Medical Center, 104 High Street, Mineral Point, WI 53565.
  - 3. At all times relevant to this action, Dr. Grieshaber was working as physician in Wisconsin.
- 4. On or about March 25, 2000 at 3:30 p.m., patient A.R. arrived at the Memorial Hospital emergency room after being involved in a roll-over motor vehicle accident.
  - 5. A.R. was up and walking at the scene of the accident but complained of back pain. She was transported to

Memorial Hospital emergency room on a backboard with a cervical collar.

- 6. A.R.'s vital signs were normal, and a baseline neurological examination showed that she was able to move all extremities and had no tingling or numbness at the time of the evaluation.
- 7. At 4:00 p.m. plain film x-rays were taken of A.R.'s thoracic and lumbar spine. A physician in the emergency room read the films and determined that A.R. had suffered a compression fracture of her spine involving T12 and T11.
- 8. After reading the x-ray the emergency room physician prepared the patient for discharge, stating that her fracture was stable and would not cause injury to the spinal cord or nerves.
- 9. As a nurse was helping A.R. get up to go home, A.R. experienced severe pain that caused her to cry out. Because of her extreme pain, the emergency room physician decided to admit her to the hospital for pain control.
- 10. The emergency room physician did not re-institute the use of the backboard or any other spine stabilization measures. He wrote in his admission orders that A.R. could be up with assistance and recommended a physical therapy consultation the next morning. The emergency room physician claims that these admitting orders were dictated by the Respondent, who was the admitting physician. The Respondent denies that he even saw the patient until the next day.
- 11. The next morning it was noted that A.R. had not emptied her bladder since her admission. A nurse got her up to the commode, but after 20 minutes she was unable to void. The Respondent believed the urinary retention was due to the pain medication and ordered a Foley catheter.
  - 12. The same day, it was noted that A.R. had tingling numbness in her buttocks and bilaterally in her feet.
  - 13. The next day, A.R. was incontinent of bowel, with no sensory knowledge that it had occurred.
- 14. At this point, the Respondent ordered a CT scan and immobilized the patient. He transferred her to UW Hospital for a neurological/neurosurgical evaluation.
- 15. A.R. was immediately taken to surgery at UW Hospital for removal of the T12 vertebra and fusion of the T11-L1 section.
- 16. A.R. suffered nerve damage due to the incident which may have been prevented or minimized had she been immobilized and if a CT scan had been ordered sooner to determine whether the spinal cord had been compromised.

#### **CONCLUSIONS OF LAW**

- 1. The Wisconsin Medical Examining Board has jurisdiction in this proceeding pursuant to Wis. Stat. § 448.02.
- 2. The Wisconsin Medical Examining Board has authority to resolve this proceeding by stipulation without an evidentiary hearing pursuant to Wis. Stat. § 227.44 (5).

#### **ORDER**

#### IT IS OPRDERED:

1. Gordon J. Grieshaber, M.D., will, within six (6) months of the date of this Final Decision And Order, take and complete eighteen (18) hours of Category 1 continuing education course in neurological emergencies. Each course attended in satisfaction of this Order must be preapproved by the Medical Examining Board or its designee. Dr. Grieshaber will be responsible for locating courses satisfactory to the Medical Examining Board and for obtaining the required approval of the courses from the Medical Examining Board or its designee. Dr. Grieshaber will within 60 days of completion of this

educational requirement file an affidavit with the Medical Examining Board stating under oath that he has attended in its entirety each of the courses approved for satisfaction of this requirement along with supporting documentation of attendance from the sponsoring organizations. This affidavit and the supporting documentation of attendance will be filed with:

Department Monitor
Department of Regulation and Licensing
Division of Enforcement
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

All certifications, affidavits or other documents required to be filed with the Medical Examining Board will be deemed filed upon receipt by the Department Monitor.

2. Dr. Grieshaber will be responsible for paying the full cost of attendance at these courses. Dr. Grieshaber will not apply any of the continuing education credits earned in satisfaction of this Order toward satisfaction of his Wis. Stat. § 448.13, biennial training requirements.

#### IT IS FURTHER ORDERED that:

3. Dr. Grieshaber shall, within ninety (90) days from the date of this Order, pay costs of this proceeding in the amount of seven hundred fifty dollars (\$750.00). Payment shall be made payable to the Wisconsin Department of Regulation and Licensing, and mailed to:

Department Monitor
Department of Regulation and Licensing
Division of Enforcement
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

- 4. In the event Dr. Grieshaber fails to timely pay costs as ordered or fails to comply with the ordered continuing education, Dr. Grieshaber's license (#20-34127) SHALL BE SUSPENDED, without further notice or hearing, until Dr. Grieshaber has complied with the terms of this Order. The Board or its designee will remove the suspension, if provided with sufficient information that Dr. Grieshaber is in compliance with the Order and that it is inappropriate for the suspension to remain in effect. The Board in its discretion may impose additional conditions and limitations for a violation of any of the terms of this Order.
- 5. Dr. Grieshaber is responsible for compliance with all of the terms and conditions of this Final Decision and Order.
  - 6. This Order is effective on the date of its signing.

MEDICAL EXAMINING BOARD

By: Bhupinder Saini, MD 4/19/06 A Member of the Board Date

## STATE OF WISCONSIN BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE LICENSE OF	:		CTIDI II A TION	
GORDON J. GRIESHABER, M.D.	:		STIPULATION	
	:	Case # _		:

#### Division of Enforcement Case # 03 MED 567

It is hereby stipulated between Gordon J. Grieshaber, M.D., personally, and Jeanette Lytle, Attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows:

- 1. This Stipulation is entered into as a result of an informal complaint against Gordon J. Grieshaber, M.D. received by the Division of Enforcement (case #03 MED 567). Gordon J. Grieshaber, M.D. consents to the resolution of this investigation by stipulation and without issuance of a formal complaint.
- 2. Gordon J. Grieshaber, M.D. understands that by signing this Stipulation he voluntarily and knowingly waives his rights, including: the right to a hearing on the allegations against him, at which time the state has the burden of proving those allegations by a preponderance of the evidence, the right to confront and cross-examine the witnesses against him, the right to call witnesses on his behalf and to compel their attendance by subpoena, the right to testify himself, the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision, the right to petition for rehearing, the right to judicial review, and all other applicable rights afforded to him under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and any other provisions of state or federal law.
- 3. Gordon J. Grieshaber, M.D. has been provided an opportunity to obtain legal advice prior to signing this Stipulation.
- 4. Gordon J. Grieshaber, M.D. agrees to the adoption of the attached Final Decision and Order by the Medical Examining Board. The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's Order, if adopted in the form attached.
- 5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall be retuned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by consideration of this attempted resolution.
- 6. The parties to this Stipulation agree that the attorney or other agent for the Division of Enforcement and the member of the Medical Examining Board assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Gordon J. Grieshaber, M.D. or his attorney, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with the Board's deliberations on the Stipulation.
- 7. The Division of Enforcement joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

Gordon J. Grieshaber, M.D.	Date
Mineral Point Medical Center	
104 High Street	
Mineral Point, WI 53565	
William Bauer, Attorney for Dr. Grieshaber	Date
Coyne, Schultz, Becker & Bauer, S.C.	
150 E. Gilman St. Ste. 1000	
Madison, WI 53703	
Jeanette Lytle, Attorney	Date
Division of Enforcement	
Department of Regulation and Licensing	
1400 E. Washington Ave.	
Madison, WI 53708	